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/Laura Bouchelle/

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Patent

Attorney's Docket No. 1029650-000147

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Nobuaki Mihara et al.

Application No.: 10/798,400

Filed: March 12, 2004

For: CATHETER

) **MAIL STOP AF**

) Group Art Unit: 3763

) Examiner: LAURA A. BOUCHELLE

) Confirmation No.: 6062

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**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Madam:

Favorable reconsideration of the above-identified application is requested in view of the following remarks.

The Official Action rejects Claims 1, 3, 6-14 and 17-21 as being anticipated by U.S. Application Publication No. 2004/0267196 (hereinafter Miki), and rejects Claims 4, 5, 15 and 16 as being unpatentable over Miki in view of a secondary reference.

The December 30, 2004 publication date of Miki is after this application's March 12, 2004 U.S. filing date. Thus, Miki does not qualify as prior art under 35 U.S.C. §§ 102(a) or 102(b) with respect to the claims of the present application.

Furthermore, Applicants note that Miki is a U.S. National Stage entry of an International Application filed on or after November 29, 2000. That International Application was not published in English. Accordingly, Miki does not have a 35 U.S.C. § 102(e) date.

For at least these reasons, Miki is not prior art with respect to the claims of this application. Thus, Claims 1, 3, 6-14 and 17-21 are allowable over Miki, and